

REMARKS

5 In response to the Examiner's Action mailed on February 9, 2004, claims 1-2, 7-12 and 17-20, are canceled and claims 3, 5-6 and 13, 15-16 are amended. The applicant hereby respectfully requests that the patent application be reconsidered.

10 An item-by-item response to Examiner's objections or rejections is provided in the followings:

- 10 1. *Objection to Claims 19 and 20*

15 The Examiner objects to claims 19 and 20 for informalities for referring to claims 8 and 9. Claim 19 (line 1) recites "The method of claim 8" and claim 20 (line 1) recites "The method of claim 9". Neither claim 8 nor 9 is a method claim.

In response to the objection, claims 18 and 19 are canceled.

- 20 2. *Rejection of Claims under 35 USC §102*

25 The Examiner rejects claims 1,5-8, 10, 11, 15-18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Kiryuschev et al. (U.S. Patent 5,962,967). According to the Examiner, for claims 1, 7, 8, 11, 17 and 18, Kiryuschev et al. disclose (see Figures 1 and 2) a method and an apparatus of a color display system comprising a plurality of light emitting polymer (LEP) optical fibers each formed as plurality of light-emitting segments for emitting a specific color by using a special light emitting polymer; and the light emitting segments arranged as a two-dimensional array with each of the light emitting segments for presenting a color image (column 1, lines 11-14; column 2, lines 48-61; column 4, lines 46-57 and column 12, lines 20-42).

5

Regarding claims 1, 7, 8, 10, 11, 17 and 18, Kiryuschev et al. do not explicitly disclose the light emitting segments **controlled to turn on and off** for presenting a color image. However, Kiryuschev et al. disclose a storable information display screen for use with an electronic information processing device; therefore, the device of Kiryuschev would possess a switch to turn on and off for controlling the light segments. Thus, it inherently meets the limitations of claims 1, 7, 8, 10, 11, 17 and 18.

10

Regarding claims 5 and 15, Kiryuschev et al. disclose a color display system wherein the plurality of light-emitting segments are arranged to emit lights of red, green and blue colors for image display over the two dimensional array (column 12, lines 36-39).

15

Regarding claims 6 and 16, Kiryuschev et al. disclose a color display system wherein the plurality of light emitting segments formed with the plurality of LEP optical fibers (22, 24) are supported on a flexible planar substrate (52, Figure 2) to form a flexibly foldable color display system.

20

Regarding claims 10 and 20, Kiryuschev et al. disclose a color imaging system wherein each of the optical fibers further comprising an electrode layer wrapping around the ITO layer for applying an ITO control voltage thereon (column 4, lines 65-67); the color imaging system further comprising a substrate carrier (52, Figure 2) provided with metal traces for connecting to the electrode layer (column 4, lines 65-67) of the optical fibers for turning on and off the light emitting ends.

25

30

In response to the rejections, claims 1, 8, 10-11 and 18 and 20, are canceled and claims 3, 5-6 and 13, 15-16 are amended. The purpose of canceling the claims is to let the allowable claims issued into patent as soon as possible then followed by prosecuting the canceled claims later in

5

a Continuation Application. The claim cancellation does not in anyway represent admission of lack of novelty under the cited prior art references. The Applicants hereby respectfully reserve the rights to further prosecute the canceled claims as continuation application before the allowed claims are issued into patent.

3. *Rejection of Claims under 35 USC §103*

10 The Examiner rejects claims 2, 9,12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kiryuschev et al. as cited above. According to the Examiner, Kiryuschev et al. disclose an optical device with all the limitations set forth in the claims as discussed above, except the light emitting segments comprising an indium/tin oxide (ITO) layer segment as recited in claims 2, 9, 12
15 and 19. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ an indium/tin oxide (ITO) to make the light emitting segments, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its
20 suitability for the intended use as a matter of obvious design choice.

25 In response to the rejections, claims 2, and 12 are canceled and claims 3, 5-6 and 13, 15-16 are amended. The purpose of canceling the claims is to let the allowable claims issued into patent as soon as possible then followed by prosecuting the canceled claims later in a Continuation Application . The claim cancellation does not in anyway represent admission of lack of novelty under the cited prior art references. The Applicants hereby respectfully reserve the rights to further prosecute the canceled claims as continuation application before the allowed claims are
30 issued into patent.

4. *Allowable Subject Matter*

5 The Examiner instructs that Claims 3, 4, 13 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10 The Examiner instructs that the prior art fails to disclose or reasonably suggest the color display system wherein the ITO layer segments coated over the LEP layer whereby a voltage applied between the metal electrode layer and a selected ITO layer segment turning on a selected light emitting segment covered by the selected ITO layer segment for emitting a light from the LEP layer to project outwardly through the selected ITO layer segment as recited in claims 3 and 13. Claims 4 and 14
15 are dependent on the objected claims 3 and 13 respectively

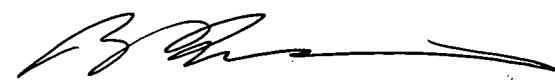
20 In response to the rejections, claims 3, 5-6 and 13, 15-16 are amended. The objections of the allowable subject are resolved by rewriting claims 3 and 13 as independent claims by adding the limitations of the base claim and the intervening claims.

25 With the canceled and the amended claims and the reasons provided above, the applicant hereby respectfully requests that Examiner's rejections under 35 USC § 102, and 35 USC § 103 be withdrawn and the present application be allowed.

Respectfully submitted,
Bruce Cheng, et. al

30

By


Bo-In Lin -- Attorney, Registration No. 33,948
13445 Mandoli Drive, Los Altos Hills, CA 94022
(650) 949-0418 (Tel), (650) 949-4118 (Fax)

May 10, 2004